GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Water Resources Department - Allegations of corruption against Sri G. Venkata Ramaiah, formerly Deputy Executive Engineer, O/o. Telugu Ganga Project Sub Division No.1, Brahmgarimatam, Kadapa District (now retired) - Entrust the case to Tribunal for Disciplinary proceedings - Inquiry Report submitted – Imposed major penalty of reduction by two stages in the present scale of pay – Appeal before the Hon'ble A.P.A.T. – Allowed Hon'ble A.P.A.T. orders - Inquiry Report with disagreement factors in terms of Rule 21 (2) of Andhra Pradesh Civil Services (Classification Control & Appeal) Rules,1991 - Communicated – Imposition of punishment withholding five Percent (5%) of pension permanently Under Rule 9 of APRP Rules, 1980 – Orders – Issued.

WATER RESOURCES (VIGILANCE-II/A1) DEPARTMENT

G.O.RT.No. 341 **Dated: 24-09-2024**

Read the following:-

1.	From the ENC(AW), I&CAD Dept., Hyderabad, Proceedings No.Rc. ENC/ S1(4)/10150/05, dated 01.04.2005
2.	From the DG, ACB, Letter Rc.No.63/RCT-TCD/2005, Dt. 30.09,2005.
3.	Govt.Letter.No.14201/Ser.VI (1)/2005-11, dt.21.03.2007.
4.	From the Secretary, Tribunal for Disciplinary Proceedings, Hyderabad, Lr.No.Dis.No.S/33/2008, Dt.09.09.2008.
5.	Govt.Memo.No.14201/Ser.VI(1)/2005-14, dt.16.12.2008.
6.	Explanation from Sri G.Venkataramaiah, Dy. Executive Engineer, dt.29.01,2009.
7.	G.O.Ms,No.79, Irrigation & CAD (IW: SERVICES-VI(1) Dept, dt.24.07.2010.
8.	From the Hon'ble APAT judgment dated 17-01-2018 in O.A.No.6318 /2014 filed by Sri G. Venkata Ramaiah, Dy. EE [Retd.)
9.	From the Hon'ble High Court of A.P.,Judgment in W.P.No.7101 of 2021 dt.30.03.2021.
10.	G.O.Ms.No.43, W.R (Vig.I) Dept., dated 09.09.2021.
11.	Govt.Memo.No.15336/Vig.I/A2/2014-11, W.R (Vig.I) Dept.,Dated 09.09.2021.
12.	Representation received from the Sri G. Venkata Ramaiah, formerly Deputy Executive Engineer, O/o Telugu Ganga Project Sub Division No.1,Brahmgarimatam, Kadapa District now retired, dt.13.12.2021
13.	Govt Memo No. 15336/Vig.I/A2/2014, dt: 01.10.2022
14.	From ENC (AW), WRD, AP Letter No. ECAD-19021/1/2024-DEE-I-ENCADMIN, dated: 20.06.2024

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ORDER:-

Sri G.Venkataramaiah, In-charge Dy.Executive Engineer of Telugu Ganga Project Sub-Division No.1, Brahmamgarimatam of Telugu Ganga Project Division, Badvel was trapped red handedly by the Anti-Corruption Bureau authorities at his residence D.No.1/1745, Poosalaveedi, Yerramukkapally, Kadapa Town. The Deputy Superintendent of Police, Anti-Corruption Bureau has informed that Sri

G.Venkataramaiah, Dy.Executive Engineer had demanded and accepted the bribe amount of Rs.3,000/- as illegal gratification from the complainant of Sri V.Jayarama Reddy for doing an official favour pending with him. Accordingly in the reference 1st read above, orders were issued placing Sri G.Venkataramaiah, Dy.Executive Engineer (I/c), of Telugu Ganga Project Sub-Division No.1, Brahmamgarimatam, Telugu Ganga Project Division, Badvel of Superintending Engineer, Telugu Ganga Project Circle, Kadapa under suspension in public interest with effect from 30-03-2005 A.N., under sub rule 1(c) of the rule 8 of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991.

2. In the reference 2nd read above, the Director General, Anti-Corruption Bureau, Hyderabad has recommended to prosecute the accused officer Sri G.Venkataramaiah, DEE, Telugu Ganga Project, Brahmamagarimatam, Kadapa District in a Court of Law for the offence punishable under sections 7, 13 (2) read with 13(1)(d) of Prevention of Corruption Act, 1988.

3. In the reference 3rd read above, the Government have taken a decision to entrust the case to Tribunal for Disciplinary Proceedings and requested to take necessary action in the matter. Accordingly, the Tribunal for Disciplinary Proceedings vide reference 4th read above has submitted its Inquiry report on the chargers framed against the Charged officer in which the Tribunal held that all the charge framed against the Charged officer is not proved.

4. While furnishing a copy of the Tribunal for Disciplinary Proceeding's report along with disagreement factors under Rule 21(2) of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991, to the charged officer Sri G.Venkataramaiah, DEE , TGP, Brahmamgarimatam, Kadapa District was requested to submit his explanation within 15 days from the date of receipt of the Govt. Memo., vide reference 5th read above. In the reference 6th read above, the charged officer has requested to drop all proceedings on humanitarian grounds and to regularize his suspension period as on duty, as he is honest and innocent in the allegations.

5. After due procedure, Government have issues orders to impose a penalty of reduction by two stages in the present scale of pay against Sri G.Venkataramaiah, formerly Dy.Executive Engineer, Office of the Telugu Ganga Project Sub-Division No.1, Brahmamgarimatam, Kadapa District (Now Retired) vide GO 7th read above.

6. Aggrieved the above orders, Sri G.Venkta Ramaiah, Deputy Executive Engineer (Retired) has filed O.A.No.6318/2014 before the Hon'ble Andhra Pradesh Administrative Tribunal. The Hon'ble APAT in its orders dt. 17.01.2018 have set-aside the G.O and implementing judgment of Hon'ble APAT duly following Rule 21(2) of the Andhra Pradesh Civil Services (CC&A) Rules, 1991 in this case vide reference 8th read above..

7. After due procedure, Government have decided to file appeal against the orders of the Hon'ble APAT dt. 17.01.2018. Accordingly, Writ Petition No. 7101/2021 was filed before the Hon'ble High Court of Andhra Pradesh. The Hon'ble High Court in its judgment dated 30-3-2021 have opined as follows:

> *"The Hon'ble High Court having examined notice dated 16.12.2008 issued by the disciplinary authority, we find that the authority had already come to a categorical finding contrary to that of the inquiry officer without obtaining*

response from the delinquent concerned. Hence, we are in agreement with the finding of the Tribunal that the proceedings were conducted in breach of Rule 21(2) of the A.P. (CC&A) Rules, 1991 and authority ought to have proceeded afresh as directed by the Tribunal. The Hon'ble High Court has opined that this is not a fit case to interfere with the order impugned".

8. After careful examination of the entire matter, have decided to set aside the earlier orders issued in G.O.Ms.No.79, Irrigation & CAD (IW.SERVICES-VI(1)Department, dated: 24.07.2010 against Sri G. Venkata Ramaiah, Deputy Executive Engineer(Retired), O/o. TGP, Brahmgarimatam, Kadapa District by implementing judgment of Hon'ble APAT duly following Rule 21(2) of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in this case vide G.O. 10th read above.

9. In Memo 11th cited, while enclosing the Inquiry Report of Tribunal for Disciplinary Proceedings along with disagreement factors in terms of Rule 21 (2) of Andhra Pradesh Civil Services (Classification Control & Appeal) Rules, 1991, Sri G. Venkata Ramaiah, formerly Deputy Executive Engineer, O/o Telugu Ganga Project Sub Division No.1, Brahmgarimatam, Kadapa District (Retired) was directed through the ENC(AW), WRD to submit his explanation if any to make, on the disagreement factors, to the Government, on the findings of the Inquiring Authority within (15) days, from the date of receipt of this Memo. In reference 12th cited, the charged officer has submitted his explanation on the findings of Inquiring Authority with a request to drop further action against him.

10. After careful examination on the explanation given by the Charged Officer, it has been provisionally decided to **impose a punishment of withholding (5%) pension permanently on** Sri G. Venkata Ramaiah, DEE (Retd.) for the above said irregularities.

11. In Govt Memo 13th read above, a show cause notice was issued to Sri G. Venkata Ramaiah, DEE (Retd.) with a direction to show cause as to why the proposed **penalty of withholding (5%) pension permanently** under the Rule 9 of A.P.R.P. Rules, 1980 shall not be imposed on him and submit his representation, if any, thereon, within (10) days from the date of receipt of this memo. In reference 14th read above Sri G. Venkata Ramaiah, DEE (Retd.) has submitted his written explanation to the show cause notice.

12. Government after careful examination of the entire issue, hereby ordered to **impose a punishment of withholding (5%) pension permanently** under Rule 9 of A.P.C.S. (CC&A) Rules 1991 against Sri G. Venkata Ramaiah, DEE (Retd.) Office of the Telugu Ganga Project Sub-Division No.1, Brahmamgarimatam, Kadapa District for demanding and accepting the bribe amount of Rs.3,000/- as illegal gratification from the complainant of Sri V.Jayarama Reddy.

13. The Engineer-in-Chief (AW), Water Resources Department, Vijayawada, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G SAI PRASAD

SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri. Sri G. Venkata Ramaiah, DEE (Retd.) Office of the Telugu Ganga Project Sub-Division No.1, Brahmamgarimatam, Kadapa District. (**through** the Engineer-in-Chief (AW), Water Resources Department, A.P., Vijayawada.)

The Engineer-in-Chief(AW), Water Resources Department, A.P., Vijayawada.

Copy to:

The Director General, Anti-Corruption Bureau, A.P., Headquarters Office, 2nd Floor, N.T.R. Admn. Block, Pandit Nehru Bus Station, Vijayawada.

The Secretary to VC, APVC, AP. Secretariat, Velagapudi, Amaravati.

Sc/Sf.

//FORWARDED::BY ORDER//

SECTION OFFICER